

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

**ZURICH AMERICAN INSURANCE  
COMPANY,**

**Plaintiff and Counterclaim-Defendant,**

**v.**

**MEDICAL PROPERTIES TRUST, INC.,**

**Defendant and Counterclaim-Plaintiff.**

Case No. 1:21-cv-11621-PBS

**STIPULATION AND [PROPOSED] ORDER OF  
DISMISSAL WITH PREJUDICE**

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, Plaintiff and Counterclaim-Defendant Zurich American Insurance Company (“Zurich”) and Defendant and Counterclaim-Plaintiff Medical Properties Trust, Inc. (“MPT”), by and through their undersigned counsel, hereby STIPULATE AND AGREE that all of Zurich’s and MPT’s claims against each other in the above-captioned action shall be dismissed with prejudice, with Zurich and MPT each to bear their own attorneys’ fees and costs.

[Signatures on next page.]

Respectfully submitted,

**ZURICH AMERICAN INSURANCE  
COMPANY**

By its attorney,

/s/ Michael Menapace

Michael Menapace (BBO# 568841)  
Wiggin and Dana, LLP  
20 Church Street  
Hartford, Connecticut 06103  
Telephone: (860) 297-3733  
Facsimile: (860) 297-3799  
mmenapace@wiggin.com

**MEDICAL PROPERTIES TRUST, INC.**

By its attorneys,

/s/ Martin C. Pentz

Martin C. Pentz (BBO # 394050)  
Creighton K. Page (BBO # 674640)  
Natalie F. Panariello (BBO # 707579)  
Laura D. Gradel (BBO #692315)  
Foley Hoag LLP  
Seaport West, 155 Seaport Boulevard  
Boston, Massachusetts 02210-2600  
Telephone: 617 832 1000  
Facsimile: 617 832 7000  
mpentz@foleyhoag.com  
cpage@foleyhoag.com  
npanariello@foleyhoag.com  
lgradel@foleyhoag.com

Dale Jefferson (*pro hac vice*)  
David D. Disiere (*pro hac vice*)  
Martin, Disiere, Jefferson & Wisdom  
808 Travis, Suite 1100  
Houston, TX 77002  
Telephone: 713 632 1717  
jefferson@mdjwlaw.com  
disiere@mdjwlaw.com

Dated: November 13, 2024

IT IS SO ORDERED this 15 day of November, 2024.



The Honorable Patti B. Saris  
United States District Court Judge